

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 7
)
YOUNKUK JUN,) CASE NO. 21-52669-LRC
)
DEBTOR.)

NOTICE OF PLEADING, DEADLINE TO OBJECT AND FOR HEARING

The United States Trustee has filed a Motion For Extension of Deadline on July 9, 2021. Pursuant to General Order 24-2018, the Court may consider this matter without further notice or a hearing if no party in interest files a response or objection within twenty-one (21) days from the date of service of this notice. **If you object to the relief requested in this pleading, you must timely file your objection with the Bankruptcy Clerk at United States Bankruptcy Court, Room 1340, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303; and serve a copy on the movant's attorney, Jonathan S. Adams, Richard Russell Federal Building, 75 Ted Turner Drive, S.W., Suite 362, Atlanta Georgia 30303; and any other appropriate persons by the objection deadline. The response or objection must explain your position and be actually received by the Bankruptcy Clerk within the required time.**

A hearing on the pleading has been scheduled for **August 25, 2021 at 10:15 A.M.** in Courtroom 1204, U.S. Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303. Given the current public health crisis, hearings may be telephonic only. Please check the "[Important Information Regarding Court Operations During COVID-19 Outbreak](#)" tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone. If an objection is timely filed and served, the hearing will proceed as scheduled. **If you do not file a response or objection within the time permitted, the Court may grant the relief requested without further notice or hearing**, provided that an order approving the relief requested is entered at least one business day prior to the scheduled hearing. If no objection is timely filed, but no order is

entered granting the relief requested at least one business day prior to the hearing, the hearing will be held at the time and place scheduled.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this Bankruptcy Case. If you do not have an attorney, you may wish to consult one.

Dated: July 9, 2021

MARY IDA TOWNSON
UNITED STATES TRUSTEE
REGION 21

/s Jonathan S. Adams
JONATHAN S. ADAMS
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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) CHAPTER 7
)
YOUNKUK JUN,) CASE NO. 21-52669-LRC
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DEBTOR)

MOTION FOR EXTENSION OF DEADLINE

Mary Ida Townson, United States Trustee for Region 21 (the “United States Trustee”), moves the Court to extend the deadline under Federal Rule of Bankruptcy Procedure 1017(e) for the United States Trustee to file a motion to dismiss this case pursuant to Bankruptcy Code section 707(b), and to extend the deadline under Federal Rule of Bankruptcy Procedure 4004 to file an objection to discharge pursuant to Bankruptcy Code section 727. In support of this motion, the United States Trustee shows as follows.

1.

Younkuk Jun (hereinafter the “Debtor”) commenced this case on April 1, 2021, by filing a petition for relief under chapter 7 of the United States Bankruptcy Code. Michael Barger was appointed Chapter 7 Trustee.

2.

On his petition, Debtor reported that his debts are primarily consumer debts. (Dkt. 1, pg. 6)

3.

The Meeting of Creditors was initially scheduled for May 10, 2021, but was continued, first to June 18, 2021, then to July 16, 2021 for the production of additional

documents and information.

I. Extension of Time to file Motion to Dismiss Pursuant to Bankruptcy Code Section 707(b).

4.

The United States Trustee is reviewing this case to determine whether relief pursuant to Bankruptcy Code section 707(b) is warranted. Bankruptcy Code section 707(b)(1) provides that, after notice and a hearing, the Court may dismiss a case filed by an individual whose debts are primarily consumer debts if it finds that granting relief would be an abuse of the provisions of chapter 7.

5.

Bankruptcy Code section 707(b)(3) provides that, in considering whether granting relief would be an abuse in a case in which the presumption of abuse does not arise or is rebutted, the Court shall consider whether the debtors filed the petition in bad faith or the totality of the circumstances of the debtors' financial situation demonstrates abuse.

6.

Federal Rule of Bankruptcy Procedure 1017(e) provides that, "except as otherwise provided in § 704(b)(2), a motion to dismiss a case for abuse under § 707(b) or (c) may be filed only within 60 days after the first date set for the meeting of creditors under § 341, unless, on request filed before the time has expired, the court for cause extends the time for filing the motion to dismiss." The deadline under Rule 1017(e)(1) is July 9, 2021.

7.

The United States Trustee wishes to further review this case under § 707 to determine whether there is a basis for filing a motion to dismiss the case. The United States Trustee has requested documentation from the Debtor, but the Debtor has failed to provide the United States Trustee with all the requested documentation. The United States Trustee requests an extension of the deadline to file a motion to dismiss pursuant to Section 707(b)(3), so that she may obtain the necessary documentation and information from the Debtor.

II. Extension of Time to Object to Discharge Pursuant to Bankruptcy Code Section 727

8.

Federal Rule of Bankruptcy Procedure 4004(a) provides that in a chapter 7 case, a complaint objecting to discharge must be filed no later than 60 days after the first date set for the section 341(a) meeting of creditors.

9.

The original deadline for filing a complaint under section 727 is July 9, 2021.

10.

Federal Rule of Bankruptcy Procedure 4004(b)(1) provides that “on motion of any party in interest, after notice and a hearing, the court may for cause extend the deadline to object to discharge.”

11.

The United States Trustee wishes to further review this case under section 727 to determine whether there is a basis for filing a complaint to deny discharge. To complete her review, the United States Trustee needs additional documentation and other information from the Debtor. The United States Trustee has requested certain documentation from the Debtor, but the Debtor has failed to provide the United States Trustee with all the requested documentation. The United States Trustee requests an extension of the deadline to file an objection to discharge pursuant to Section 727, so that she may obtain the necessary documentation from the Debtor.

WHEREFORE, the United States Trustee requests the Court enter an order extending the deadline for the United States Trustee to file a motion under section 707(b)(3) to October 12, 2021. Further, the United States Trustee requests the Court enter an Order, extending the deadline for the United States Trustee to file a complaint to deny discharge under section 727 to October 12, 2021. In addition, the United States Trustee requests that, in the event this case is converted to chapter 13 and later reconverted to chapter 7, the deadline for filing a motion to dismiss pursuant to section 707(b) be extended to the date that is 90 days after entry of the order reconverting the case to chapter 7.

MARY IDA TOWNSON
United States Trustee, Region 21

s/ Jonathan S. Adams
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CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing *Motion for Extension of Deadline and Notice of Pleading, Deadline to Object and for Hearing* using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case filing program.

- **Michael J. Bargar** Michael.bargar@agg.com, carol.stewart@agg.com; GA67@ecfcbis.com
- **Marcus Nakjoon Kim** njkimalaw@gmail.com, njkimalaw.jhbae@gmail.com

I further certify that on this day, I caused a copy of this document to be served via United States First Class Mail, with adequate postage prepaid on the following parties at the address shown for each.

Younkuk Jun
207 Hamlet Drive
Duluth, Georgia 30097

Dated: July 9, 2021.

s/ Jonathan S. Adams
Jonathan S. Adams
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